

### **REMARKS**

In this Amendment, Applicant has cancelled Claim 4 without prejudice or disclaimer and amended Claim 1. Claim 1 has been amended to overcome the rejection and further specify the embodiments of the present invention. It is respectfully submitted that no new matter has been introduced by the amended claims. All claims are now present for examination and favorable reconsideration is respectfully requested in view of the preceding amendments and the following comments.

#### **REJECTIONS UNDER 35 U.S.C. § 102:**

Claims 1 – 5 have been rejected under 35 U.S.C. § 102 (e) as allegedly being anticipated by Mizuno et al. (US 6,996,052 B1), hereinafter Mizuno. Claims 1 – 2 and 4 – 5 have been rejected under 35 U.S.C. § 102 (b) as allegedly being anticipated by Yamada et al. (US Publication 2001/0017833), hereinafter Yamada. Claims 1 – 5 have been rejected under 35 U.S.C. § 102 (b) as allegedly being anticipated by Horie et al. (US Publication 2002/0160305 A1), hereinafter Horie.

Applicant traverses the rejection and respectfully submits that the present-claimed invention is not anticipated by the cited reference. More specifically, Claim 1 has been amended to a more specified embodiment of the present invention. The amendments to Claim 1 is supported by the disclosure on page 7, line 26 through page 8, line 6 and page 20, line 35 through page 21, line 6.

As explained in the specification, the reflective layer (5) is made of a material including Ag as the major element under consideration of modulation (page 20, line 35 to page 21, line 6) whereas the second protective layer (4) is made of a material including sulfur (S). However, when the reflective layer is directly formed on second protective later, Ag and S react to each other to produce an AgS compound which lowers the reflectivity of the reflective layer. In order to prevent such a reaction, the present

invention is provided with the diffusion protective layer formed between the second protective layer and the reflective later, and made of a material including at least one material among nitride, oxide and carbide (page 7, lines 26 to 36).

Mizuno discloses the interfacial layer made of the Al alloy between the protective layer and the reflective layer. However, there is no disclosure nor teaching of a material including at least one material among nitride, oxide and carbide, in addition to or as an alternative to the Al alloy, for the interfacial layer.

In addition, it is respectfully submitted that Yamada does not disclose or teach a diffusion protective layer made of a material including at least one material among nitride, oxide and carbide between the second dielectric layer 4 and the metal or alloy layer 5.

Furthermore, Horie does not disclose nor suggest a diffusion protective layer made of a material including at least one material among nitride, oxide and carbide between the dielectric protective layer and the reflective layer (FIG. 19A)

It is respectfully submitted that the invention as claimed in the amended Claims 1 and its dependent claims differs from disclosures in Mizuno, Yamada or Horie.

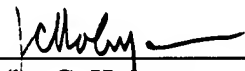
Therefore, the newly presented claims are not anticipated by the cited references and the rejection under 35 U.S.C. § 102 has been overcome. Accordingly, withdrawal of the rejection under 35 U.S.C. § 102 is respectfully requested.

Having overcome all outstanding grounds of rejection, the application is now in condition for allowance, and prompt action toward that end is respectfully solicited.

Respectfully submitted,

JACOBSON HOLMAN PLLC

Date: June 19, 2007  
(202) 638-6666  
400 Seventh Street, N.W.  
Washington, D.C. 20004  
Atty. Dkt. No.: P69530S0

By   
John C. Holman  
Registration No. 22,769